

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA**

ERIC D. SMITH,

Plaintiff,

v.

WILLIAM K. WILSON, *et al.*,

Defendants.

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CAUSE NO.: 3:07-CV-338-TS

OPINION AND ORDER

While he was a prisoner confined at the Westville Control Facility (“WCF”), Eric Smith submitted a Complaint [DE 1] under 42 U.S.C. § 1983, alleging that WCF officials violated his federally protected rights. The Court screened the Complaint pursuant to 28 U.S.C. § 1915A, and allowed him to proceed against the Defendants in their individual capacities for damages and in their official capacities for injunctive relief on his claim that WCF officials were denying him medication that he had been prescribed for a serious medical need. Smith has now advised the Court that he has been transferred from the WCF to the New Castle Correctional Facility.

After a Complaint is filed, the Court is to dismiss a prisoner’s claim if the Court determines that it is frivolous or malicious, fails to state a claim on which relief may be granted, or seeks monetary relief against a defendant who is immune from such relief. *See* 28 U.S.C. § 1915(e)(2)(B). In his Complaint, Smith seeks injunctive relief requiring WCF officials to provide him with his “medication and adequate mental health treatment.” (Compl. 16). But when a prisoner who seeks injunctive relief is transferred to another facility, “the need for relief, and hence the prisoner’s claim, become moot.” *Lehn v. Holmes*, 364 F.3d 862, 871 (7th Cir. 2004); *see also Calhoun v. DeTella*, 319 F.3d 936, 939 (7th Cir. 2003); *Higgason v. Farley*, 83 F.3d 807, 811 (7th Cir. 1996)).

Pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), the Court now DISMISSES without prejudice and as moot the Plaintiff's injunctive relief claims. This case remains pending before the Court on the Plaintiff's damage claims against the Defendants.

SO ORDERED on August 29, 2008.

s/ Theresa L. Springmann
THERESA L. SPRINGMANN
UNITED STATES DISTRICT COURT
FORT WAYNE DIVISION